

MINUTES OF THE
STORM WATER APPEALS BOARD (SWAB)
MEETING OF FEBRUARY 24, 2021

1. **OPENING** – The Williamson County Storm Water Appeals Board met for a regular meeting on February 24, 2021 at 8:30 a.m. via GoToMeeting, online video conferencing.

Chairman Reese called the meeting to order and asked Floyd Heflin to call the roll. Mr. Heflin noted that a quorum was present.

A motion to conduct the Storm Water Appeals Board meeting electronically due to the necessity caused by the COVID-19 crisis was made by Brad Hoot. The motion was seconded by Davis Lamb, and passed by unanimous roll call vote.

1.1 Board Members

Andy Reese, Engineering Representative, Chairman
Brad Hoot, Homeowner Representative, Secretary
Betsy Hester, County Commission Representative
Rob Adams, Jr., Building Representative
Liz McLaurin, Environmental Representative
John Kinnie, Agricultural Representative, Vice Chairman
Davis Lamb, Development Representative

1.2 Staff

Michael Scott, Storm Water Quality Coordinator
Floyd Heflin, County Engineer
Kristi Ransom, County Attorney
Debbie Smith, Administrative Office Manager

2. **APPROVAL OF MINUTES** – Chairman Andy Reese opened the floor for comments on the January 27, 2021 minutes. Brad Hoot moved to approve, seconded by John Kinnie. The motion was unanimously approved by roll call vote.

3. **02-24-21-02 – City of Brentwood waiver for property at 2323 Old Hickory Blvd.**

3.1 Introduction by Staff - Mr. Scott reviewed the report for the record.

No Public Comments

3.3 Applicant – Andrew Johnson and Brian Martin from Smith, Seckman and Reid.

3.4 Board Discussion – Brad Hoot asked if someone from SSR would be supervising the project. Andrew Johnson indicated there would be a project manager from start to finish.

4. **02-24-21-03 – Jeff Hooper for Andy Puzder waiver for property at 5540 Wilkins Branch Rd.**

4.1 Introduction by Staff - Mr. Scott reviewed the report for the record.

4.2 Applicant – Jeff Hooper, Barge Cauthen and Associates indicated the owner would like to increase the size of the current pond. The current use and continued use will be agricultural.

4.3 Public Hearing – Dorie Bolze stated to her knowledge this project would need an ARAP permit from the Department of Environment and Conservation.

4.4 Board Discussion – Brad Hoot asked if the size increase would be done with digging out the pond or raising the dam. Jeff Hooper indicated it would be done by raising the dam approximately 10 feet. Brad Hoot also asked if Barge, Cauthen would be monitoring the project. Jeff Hooper stated they would be monitoring it from start to finish.

Brad Hoot asked if this would have any impact on the water quality. Jeff Hooper indicated there would be BMP's installed to contain runoff but during construction there could be an impact on the stream, once completed there should be no noticeable change.

John Kinnie asked what would be the approximate increase to the dam. Jeff Hooper indicated it would be approximately 10 feet. John Kinnie asked also if the overflow would be filled with rip rap rock. Jeff Hooper indicated it would along with natural vegetation. John Kinnie asked if the pond would have to be drained during this project. Jeff Hooper stated it would need to be drained.

Andy Reese asked what the drainage area to the pond is. Jeff Hooper indicated it was approximately 52 acres. Andy Reese asked there are any habitable structures downstream from the pond. Jeff Hooper stated that the only structure is Mr. Puzder's residence.

(Andy Reese's audio ceased working).

Brad Hoot asked if the dam was large enough to have to meet the Federal Safe Dams Act. Jeff Hooper stated it did not have to meet the Safe Dams requirements.

John Kinnie asked how they would be keeping the overflow away from the existing stream. Jeff Hooper indicated they would be moving the overflow into the existing pond therefore changing the center location of the pond.

4.5 Board Action – John Kinnie moved to approve as submitted with the condition that there be no land disturbance on either side of the existing pond, however, material may be borrowed from the upstream end of the pond, seconded by Rob Adams. The motion was unanimously approved by roll call vote.

5. **02-24-21-04 – Mekayle Houghton for Rochford Realty & Construction for property at Pasquo Road within Stephens Valley Subdivision.**

Brad Hoot recused himself from this item.

5.1 Introduction by Staff - Mr. Scott reviewed the report for the record.

5.2 Applicant – Mekayle Houghton, Cumberland River Compact, Chris Fleming, BBY Environmental, Jake Byers, Eco System Planning and Restoration.

David Horvath stated his development company is exciting about working with Cumberland River Compact and will ensure that the future education and conservation of these area is enforced. Mr. Horvath stated that if additional language was needed in the covenants and restrictions, they would be happy to work with Staff to get that done.

Chris Fleming presented a PowerPoint presentation.

5.3 Public Hearing – Dorie Bolze stated this was definitely an area that was in need of restoration. However this area was also prone to flooding and would ask that the applicant go a step further to include the additional flows from this project. Dorie Bolze also added that in some way that the HOA be made aware of these restrictions to lessen the confusion in the future.

(Andy Reese's audio returned)

5.4 Board Discussion – John Kinnie stated that when you clean and repair streams, it causes the water to flow at a faster rate and would like to know if a flood study has been or will be done for those areas. Jake Byers indicated there will be a flood study done with the existing and proposed flood conditions in this area.

Andy Reese asked if the County reviews the HEC-RAS models. Floyd Heflin indicated he does review those, however the State is encouraging the local communities to also submit this to their consultants for review and to see if it qualifies for a no-rise or needs to be submitted for a map amendment.

Andy Reese asked if a flood study analysis was being performed based on the future full build out of the land or current existing conditions. Jake Byers indicated that they would not be drastically changing the slope throughout Trace Creek. The input conditions that are being modeled are based on regression equations developed by the USGS.

Andy Reese asked about the drainage area size for this stream. Jake Byers stated it is 1.27 square miles at the bottom end of Trace Creek. Andy Reese also asked about the conservation easement and restrictions, would that restrict any kind of trails in this area. Jake Byers stated currently there is a portion of the stream with a trail and it will be allowed to remain, however any new trails will not be allowed within that easement.

Andy Reese asked if the adjacent landowners own to the stream bank. Jake Byers stated that there will be no encroachments on the stream banks by property lines, it is all controlled by open space.

John Kinnie stated he is still concerned about the flood study being done for downstream. Jake Byers restated there will be a study done.

Liz McLaurin added that she agreed with Mrs. Bolze statement and added that conservation easements are very difficult to monitor.

Rob Adams asked if the Board could ask the applicant to include some sort of notification to the HOA. Kristi Ransom stated it could be acceptable and should be included in the motion. Further, it may be necessary to revise the final plats to include this conservation easement and to also amend the HOA documents to reference the easement and use restrictions.

Andy Reese asked if the plat revision would be done regardless of the motion by this board or did it need to clarify in the motion to require that plat revisions. Kristi Ransom recommended that a condition of approval be added that if a conservation easement was not shown on the plat, that it be shown on future final plats and existing final plats be revised to show the easement in order to eliminate any confusion

Floyd Heflin stated there are still several things this applicant has to get approved with FEMA and with any motion the applicant will have to have a Land Disturbance Permit and No Rise certificate reviewed by the County to ensure accuracy.

(Andy Reese again lost connection at approximately 9.55am)

John Kinnie asked the Board if anyone would agree to defer this item until the Flood Study was done. Betsy Hester asked how long a Flood Study would take. Jake Byers stated it would take a minimum one (1) month to do the study, then if a Letter of Map Amendment was required, it could take upwards of six (6) months. However, Mr. Byers added that due to the existing flood study in this area, it is a requirement that a revised flood study be done.

Davis Lamb asked if there was anything that could change the decision of this Board from the Flood Study. Jake Byers indicated in his opinion the study should show less of an impact to the area.

5.5 Board Action – Davis Lamb made a motion to approve with the following conditions:

1. Allow the stream restoration work to be conducted within the Waterway Natural Area;
2. Allow changes/re-alignment to the Waterway Natural Area;
3. Compliance with Flood Plain regulations, including a No-Rise approval by the State or a Conditional Letter of Map Revision from FEMA;
4. HOA must be put on notice of protected areas and signage required;
5. Any changes to Waterway Natural Area and a reference to the Conservation Easement be placed on Final Plats (past and future) and referenced in the HOA documents.

The motion was seconded by Liz McLaurin and approved by roll call vote. (Andy Reese did not vote due to connection issues and Brad Hoot did not vote.)

6. 02-24-21-05 – Election of Officers.

3.1 Board Action

Chairman – Brad Hoot nominated Andy Reese, seconded by Davis Lamb. The motion was unanimously approved by roll call vote.

Vice Chairman – Davis Lamb nominated John Kinnie, seconded by Brad Hoot. The motion was unanimously approved by roll call vote.

Secretary – Davis Lamb nominated Brad Hoot, seconded by John Kinnie. The motion was unanimously approved by roll call vote.

ADJOURNMENT - There being no further business Davis Lamb moved for adjournment.



3/25/21

Chairman

Date